Huff, Gwen

From: John Mills [sixbit@sonnet.com]
Sent: Thursday, May 27, 2010 1:53 PM
To: Water Use Efficiency
Cc: Charlotte Chorneau
Subject: U3 Draft TMs 1 to 4 comments
Attachments: Mills USC cmts Draft U3 TMs 1 to 4.doc; ATT325234.htm

Sirs:

Please see attached comments regarding the above referenced materials.

Best,

John S. Mills

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Manucher Alemi, Chief DWR Water Use & Efficiency Branch; USC Co-lead
California Dept. of Water Resources
Sacramento, California

May 27, 2010

Subject: Comments on Urban Stakeholder Committee Draft Issue Papers, May 14, 2010

Dear Mr. Alemi:

Thank you for the opportunity to review and comment on the above referenced documents. Please note that comments will reference specific Methodology Paper and page number unless otherwise noted.

Applicable to all Papers:

This process is for compliance and not comparison. Thus, the methodology should be a flexible one and not prescriptive standards.

Not all urban water systems in California are as "*urban*" as described in these papers. Please allow adequate flexibility in the methodologies to accommodate the unique circumstances of those systems that while meeting the definition of an "*urban water agency*" under statute do not have the same sort of man-made infrastructure as their more truly urban counterparts. California has "*urban water systems*" that remain essentially unchanged in key portions of their infrastructure since the days they provided drinking water to Mark Twain and Bret Harte.

Methodology 1: Gross Water Use

Page 1-2, Step 2 and Step 3; These two sections appear to allow for each agency to best determine the boundaries of it's own distribution system. Further, the language may be

interpreted to mean that each agency may include within its boundaries, and at it's own discretion raw water facilities, treatment plants and treated water facilities. Figure 1 - 9 affirms this interpretation.

It must also be understood, and reflected within Steps 2 and 3 that not all water sold as retail water supply is metered. Some raw water sales for M & I use are sold under the so called "miner's inch" measurement (11.4 gallons per minute) and have been sold under that measurement for well over 140 years. DWR must provide for allowances where historical and ongoing sales of water by measurement, but not necessarily meters occur. Additionally, some raw water systems have diversion points that supply the system that are not measured through the use of meters. This affirms the need to embrace the more broad and encompassing term - measurement.

Page 1-2, Step 2; The process must reflect that fact that not only do the physical boundaries of a system change over time (perhaps during the establishment of the base period of use calculations) but also the physical plant of the system also may change. The process of assimilating smaller rural water systems into larger systems is ongoing and a way of providing a cleaner, more efficient and reliable water supply in many areas of the state. The process of calculation of base years of water supply and changes in the system should provide for the reporting agency to identify the before and after conditions due to the acquired water systems.

It is also not unusual for many of these previously independent, small, rural systems to not have kept adequate records of water use. Thus, the new acquiring agency may have to "back in" calculations that estimate historic use during the base period where no records, or complete records exist. Such flexibility and reliance on the professional judgment of the acquiring agency will be essential in establishing a baseline of water use for these facilities that are added to an agencies distribution system.

Page 1-2, Step 3; Water is not owned by water rights holders in the State of California. Water is used in California through the right extended by the State, to a party, to beneficially use water under a usufructuary right. A water rights holder thus owns no legal title to water. The terminology for the paper should perhaps just reference water that an agency has the legal right to use.

Page 1-2, Step 3; Reference is made to the AWWA's M36 manual (updated 2009) which may or may not properly deal with the measurement of M & I water sales by a "miners inch" unit (§24 California Water Code) which is the equivalent of approximately 11.4 gallons per minute. The language in this paragraph should reflect the flexibility of the water agency to compile information through various sources of reasonable and prudent measurement: not just the universal reference to meters presently in the documents. This flexibility should not be subject to AWWA standards that may not

accurately capture the historic and ongoing water measurement methodology in parts of California's "Gold Rush" area. It should be noted that some of these systems are registered with the National Register of Historic Places and conditioned under Federal Energy Regulatory Commission licenses regarding the management of, and changes to facilities.

Page 1-3, Step 6; The historic records of some small and rural water systems may not be as is anticipated in this paragraph. For example it is possible that annual "*tank storage*" (please note that not all distribution storage is in tanks) records do not exist for some systems and therefore, the agency will have to create an estimate of historic storage in those facilitates. Please capture this flexibility within the process as well as conversion of the term "*tank storage"* to the broader term "*storage facility*".

Table 1, Page 1 - 10; the Chart only references meter error adjustments and not measurement adjustments. Again, change the term meter to measurement.

Methodology 2: Service Area Population

Page 2-3 through 2-9, Category 3 water suppliers; This section is intended to be helpful to the reader. My concern is that it appears overly prescriptive and too drawn out for many small agency staff people to deal with. Many local agencies use the census data as the method for determining service area population as a function of household size and populations for household within their service area. Generally, this can be done in a fairly simple fashion and a reasonable estimate of population served developed. Overly prescriptive processes such as presented my be useful in an appendix for those wishing to be "walked through" a sample process, but to include it in the body of the document is somewhat cumbersome. Further, it's presence in its present form may be interpreted to mean that the described process is the only acceptable methodology.

Page 2-9, Category 3 water suppliers; see item #3; The term "*methodologically rigorous"* is unnecessary. Documentation for how populations were determined and the logic behind those estimates should be a reasonable level of detail.

Methodology 3: Base Daily Per Capita Water Use

Page 3-1, Step 1; As noted earlier it is not uncommon for urban water suppliers to acquire and assimilate smaller systems into their own systems over time. The record keeping, for any extended period of time for many of those smaller systems is either nonexistent, or incomplete with regards to the proposed level of detail in this methodology.

The actual amount of water used will be an estimate, as will the population served. Therefore, this section should provide maximum flexibility to the local agency in

determining the base per capita water use to reflect the information available to the agency. This process must accept and accommodate the lack of data available on some systems in California during the very periods identified in statute as measurement periods. This is especially true for small independent systems that historically had not been gathering and/or reporting accurate data regarding water use, or population served.

Where possible the methodology should provide an affirmative statement regarding the urban water agency's best reasonable effort in complying with the information needed.

Methodology 4: Compliance Daily Per Capita Water Use

Page 4-1 and 4-2; It is assumed the various scenarios described could also be used to deal with matters such as areas that were previously outside a distribution area due to their status as agricultural customers. An example would be agricultural lands (and customers) that no longer exist, but rather have been converted to urban customers. The distribution area boundary could be modified to capture the actual status of those areas that would now be part of the agency's distribution system.

These areas would not legally be required to be annexed into an agencies service area as they could already be within that area. Rather, they would simply be changing their status and classification of service from the agency.

If you have any questions regarding these comments please do not hesitate to contact me at your convenience.

Sincerely,

John S. Mills

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